

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES AND MINERALS - Mining Lease for Limestone over an extent of 277.87 Hectares in certain survey Nos. falling in Alugganapallipadu and Nadikudi Villages of Dachepalli Mandal and Gogulapadu village of Gurajala Mandal of Guntur District in favour of M/s. Gujarat Ambuja Cements Limited for a period of 30 years – Extension of time under Rule 28(4) of Mineral Concession Rules, 1960 – Orders - Issued.

INDUSTRIES AND COMMERCE (M.II) DEPARTMENT

G. O. Ms. No. 75

Dated:26-02-2009.
Read the following:-

1. G.O.Ms.No.182, Ind. & Com.(M.II) Dept., dated:09-6-1999.
2. From the D.M.G., File No.6769/R3-3/2005.
3. G.O.Ms.No.42, Ind. & Com.(M.II) Dept., dated:07-3-2007.
4. From the Government of India, Ministry of Mines, New Delhi
Final Order No.22, dated:22-8-2008.

ORDER:-

In the reference first read above, M/s. Gujarat Ambuja Cements has been granted Mining Lease for Limestone over an extent of 277.87 Hectares in certain survey Nos. falling in Alugganapallipadu and Nadikudi Villages of Dachepalli Mandal and Gogulapadu village of Gurajala Mandal of Guntur District for a period of 30 years. The lease deed was executed on 15-10-1999 and lease period will be in force up to 14-10-2029.

2. The Government vide reference third read above cancelled the Mining Lease granted in G.O.Ms.No.182, Industries & Commerce (M.II) Department, dated:09-6-1999 in favour of M/s. Gujarat Ambuja Cements Limited (lessee), as the lessee company has blocked the area for more than seven (7) years without working and also not established cement plant and it resulted in Revenue loss to Government by not exploiting the Mineral wealth so far and no employment was created, and for the detailed reasons narrated therein.

3. Aggrieved with the orders of State Government, M/s. Gujarat Ambuja Cements Limited have filed Revision Application before the Government of India, Ministry of Mines, New Delhi under Rule 54 of the Mineral Concession Rules, 1960 contending to set aside the impugned orders on the following grounds that :

- i) They have sincerely pursuing various activities for establishing the green field cement plant at Nadikudi.
- ii) They have obtained most of the clearances including mining plans, environmental clearances etc.,
- iii) They have also acquired land from the Revenue Department.
- iv) The delay in implementation of cement project occur for the reasons beyond their control as the promise made earlier by the State Government for granting permission to setting up of 50 MW captive power plant was not duly fulfilled.

[P.T.O]

- v) Finally requested the State Government that they would establish cement project positively within next two-and-a-half years and requested to convey no objection of the State Government to the Ministry of Mines for favourable consideration during the hearing.

4. A personal hearing was held by the Revisional Authority on 20-02-2008. After having heard the case and taking into consideration the views of both the parties; the Government of India vide reference fourth read above while allowing the Revision Application filed by M/s. Gujarat Ambuja Cements Limited, set aside the orders issued in G.O.Ms.No.42, dated:07-3-2007 and remitted the case back to the State Government of Andhra Pradesh for reconsideration of the request of the applicant for extension of their mining lease under Rule 28(4) of Mineral Concession Rules, 1960, subject to the condition that the revision applicant shall complete the installation of the cement plant of the requisite capacity, as promised to the respondent within two years and six months from the receipt of the orders of the extension passed by the State Government.

5. In the circumstances stated above, and after careful examination of the matter, Government in exercise of the powers conferred under Rule 28 (4) of Mineral Concession Rules, 1960 hereby consider the request of M/s. Gujarat Ambuja Cements Limited for extension of time for a further period of 2 ½ years enabling the lessee company to complete the installation of the cement plant of the requisite capacity within two years and six months from the date of issue of these orders and commence the mining operations immediately thereafter. The orders issued in the reference third read above are hereby cancelled, duly restoring the Mining Lease in compliance with the orders of Revisional Authority i.e., Government of India vide reference 4th read above.

6. The Director of Mines and Geology is requested to take necessary accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

Y.SRILAKSHMI
SECRETARY TO GOVERNMENT

To
M/s. Gujarat Ambuja Cements Limited,
P.O. Ambujanagar, Kodinar Taluq,
Junagadh District, Gujarat State (By RPAD)
The Director of Mines & Geology, Hyderabad (w.e. file).

Copy to:

The Assistant Director of Mines & Geology, Dachepalli, Gunutur Dist.
The District Collector, Gunutur District.
The Secy., Govt. of India, Min. of Mines, Dept. of Mines, New Delhi.
The Controller General, Indian Bureau of Mines, Nagpur.
The Director General, Mines Safety, Dhanbad, Bihar.
The Regional Controller of Mines, Koti, Hyderabad.
SF/SCs.

" A copy of this order is available on the Internet and can be accessed at the address "<http://www.ap.gov.in/goir>".

//FORWARDED BY ORDER//

SECTION OFFIER